

#3 DEP & REF
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

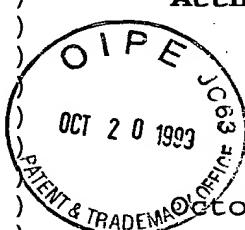
Yeschiel SHAI et al.

Serial No.: 09/367,714

I.A. Filed: February 19, 1998

For: ANTIPATHOGENIC ...

Attn.: Mr. David Antolini
Mr. Dale Hughes
Refund Section
Crystal Park One
Room 800
Washington, D.C.



October 19, 1999

Docket No.: SHAI=2

REQUEST FOR REFUND

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Attached hereto is a Verified Statement Claiming Small Entity Status - Small Business Concern with respect to the present application. It is respectfully requested that applicant be granted small entity status as entitled by the submission of these documents.

Pursuant to 37 CFR 1.28(a), request is hereby made for refund of that portion of the \$840.00 fee paid in the above-identified application on August 20, 1999 in excess of that amount which would have been due had the verified statement to establish small entity status been of record at the time of said payment.

The undersigned hereby requests that the refund due in the amount of \$420.00 be credited to deposit account no. 02-4035 rather than being refunded by check.

Respectfully submitted,
BROWDY AND NEIMARK, PLLC.
Attorneys for Applicant(s)

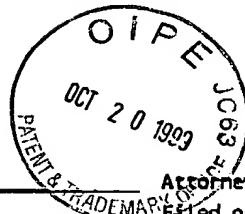
By


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20 SEP 1999

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U.S. PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Yechiel SHAI et al.

Appln. or Patent No.:

Attorney's Docket No.: SHAI=2

Filed or Issued:

For: ANTIPAHTOGENIC SYNTHETIC PEPTIDES AND COMPOSITIONS COMPRISING THEM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL BUSINESS ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

 the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the concern identified below:NAME OF SMALL BUSINESS CONCERN YEDA RESEARCH AND DEVELOPMENT CO. LTD.ADDRESS OF SMALL BUSINESS CONCERN Weizmann Institute of Science, P.O. Box 95, 76100 Rehovot, Israel

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled ANTIPAHTOGENIC SYNTHETIC PEPTIDES AND COMPOSITIONS COMPRISING THEM by inventors Yechiel SHAI and Ziv OREN described in:

 the specification filed herewith with title listed as above. application no. _____, filed _____. patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME _____

ADDRESS _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**YEDA
RESEARCH AND DEVELOPMENT
CO. LTD.**

NAME OF PERSON SIGNING Paulina Ben-AmiTITLE OF PERSON SIGNING OTHER THAN OWNER Vice PresidentADDRESS OF PERSON SIGNING P.O. Box 95, Rehovot 76100, IsraelSIGNATURE Paulina Ben-AmiDATE 16 September 1999